

Appl No. 10/686,233
Amdt. dated September 15, 2005
Reply to Office action of June 15, 2005

Amendments to the Drawings:

Submitted herewith are formal drawings. There is no new matter in the drawings.

Attachment: Replacement Sheets

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REMARKS/ARGUMENTS

The applicant would like to acknowledge, with thanks, the Office Action mailed June 15, 2005. This amendment and response is responsive to the Office Action mailed June 15, 2005.

The examiner objected to misnumbered claims 33-34. The examiner renumbered claims 33 and 34 to 35 and 36 and renumbered claims 35-38 to 37-40 respectively. Accordingly, claims 35-40 are amended herein to correspond with the examiner's renumbering.

New claims 41 is claim 6 rewritten in independent form. The examiner indicated claim 6 would be allowable if rewritten in independent form containing all of the limitations of the base claim and any intervening claims. New claims 42-45 are the equivalent of claims 7-10 and directly depend from new claim new 41 (the equivalent of claim 6 containing all of the limitations of the base claim and any intervening claims) and should thus be allowable.

Claim 46 is the equivalent of claim 13 rewritten in independent form containing all of the limitations of the base claim and any intervening claims, which the examiner indicated would be allowable. Claim 47 is the equivalent of claim 14 depending from claim 46 (which is the equivalent of claim 13 containing all of the limitations of the base claim and any intervening claims), and thus should be in condition for allowance.

New claim 48 is the equivalent of claim 15 rewritten in independent form a containing all of the limitations of the base claim and any intervening claims, which the examiner indicated would be allowable. New claims 49-50 are the equivalent of claims 16-17 dependent on claim 48 (the equivalent of claim 15 containing all of the limitations of the base claim and any intervening claims).

New claim 51 is the equivalent of claim 20 rewritten in independent form containing all of the limitations of the base claim and any intervening claims, which the examiner indicated would be allowable.

New claim 52 is the equivalent of claim 26 rewritten in independent form containing all of the limitations of the base claim and any intervening claims, which the examiner indicated would be allowable. Claims 53-56 are the equivalent of claims 26-30 depending from claim 52 (the equivalent of claim 26 containing all of the limitations of the base claim and any intervening claims) which the examiner indicated would be allowable.

New claim 57 is the equivalent of claim 33 rewritten in independent form containing all of the limitations of the base claim and any intervening claims, which the examiner indicated

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would be allowable. Claim 58 is the equivalent of claims 34 which is dependent on claim 57 (the equivalent of claim 33 containing all of the limitations of the base claim and any intervening claims), and thus should be in condition for allowance.

Claim 59 is the equivalent of claim 35 rewritten in independent form containing all of the limitations of the base claim and any intervening claims, which the examiner indicated as allowable. Claims 60-61 are the equivalent of claims 36-37 dependent on claim 59 (the equivalent of claim 35 containing all of the limitations of the base claim and any intervening claims) and thus should be in condition for allowance. Claim 62 is the equivalent of claim 40 rewritten in independent form containing all of the limitations of the base claim and any intervening claims, which the examiner indicated as allowable.

I. Rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103

Claims 1-4, 11-12 and 18-19, 21-24, 31-32 and 38-39 stand rejected as anticipated by U.S. Patent No. 6,864,852 B2 to Chiang et al. (hereinafter Chiang). Claims 5 and 25 stand rejected as being obvious in view of Chiang. Claims 2 and 22 have been cancelled. For reasons that will now be set forth, claims 1, 3-5, 11-12, 18-19, 21, 23-24, 31-32 and 38-39 as currently amended are not anticipated or obvious based on Chiang.

Independent claims 1 and 21 as currently amended recite an apparatus (an antenna system and wireless device respectively) comprising a plurality of active antenna elements for sending and receiving a wireless signal and at least one passive conductive member, having edges displaced from and substantially directed toward the plurality of active antenna elements, and cooperating therewith to establish a plurality of hemispherical beam patterns. By contrast, Chiang discloses antenna arrays that has a single active element (reference number 202) and passive elements (reference number 200 in Fig. 4 or passive dipoles 308 in Fig. 20) that shape the radiation pattern from (or to) the active element (see col. 7, lines 34-36; col. 15, lines 59-61. The active element is in the center of the antenna system and the passive elements (*e.g.*, *passive dipoles*) surround the active element. Thus, Chaing does not disclose, teach, suggest or motivate, a system comprising a plurality of active antenna elements for sending and receiving a wireless signal and at least one passive conductive member, having edges displaced from and substantially directed toward the plurality of active antenna elements, and cooperating therewith to establish a plurality of hemispherical beam patterns.

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Claims 3-20 and 23-40 are directly dependent from claims 1 and 21 respectively and therefore contain each and every element of claims 1 and 21 respectively. Therefore, for the reasons already set forth for claims 1 and 21, claims 3-20 and 23-40 are not anticipated or obvious in view of Chiang.

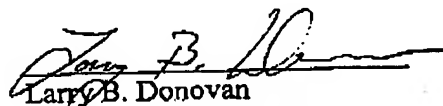
In addition to the reasons set forth above, claims 3 and 23 recite that the plurality of antenna elements are disposed along the periphery of the at least one conductive member. By contrast, the systems disclosed by Chiang have passive elements disposed along the periphery of the (single) active element (see Figs 3-5, 7, 9, 11, 13, 15, 17 and 19-20. Thus, in addition to the reasons set forth above, Chiang does not disclose, teach, suggest or motivate the subject matter of claims 3 and 23.

II. Conclusion

A credit card payment for the additional claim fees is being submitted with this amendment. If there are any fees necessitated by the foregoing communication, please charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 72255-33238.

Respectfully submitted,
TUCKER, ELLIS & WEST

Date: 9-14-2005


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